

PROB 12A
(6/16)FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

Mar 27, 2023

SEAN F. MCAVOY, CLERK

Eastern District of Washington

Report on Offender Under Supervision
(No Action Requested)

Name of Offender: Zachary Troy Davis

Case Number: 0980 4:21CR06013-SAB-1

Name of Sentencing Judicial Officer: The Honorable David Nuffer, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: February 5, 2019

Type of Supervision: Term of Supv Rel

Original Offense: Felon in Possession of a Firearm,
18 U.S.C. § 922(g)(1)

Date Supervision Commenced: July 17, 2020

Original Sentence: Prison 24 M; TSR - 36 M

Date Supervision Expires: July 16, 2023

NONCOMPLIANCE SUMMARY

Mr. Davis commenced supervised release on July 17, 2020, in the District of Utah. He was accepted for courtesy supervision in the Eastern District of Washington on August 28, 2020. On August 28, 2020, conditions of supervised release were reviewed with Mr. Davis telephonically due to the COVID-19 pandemic. Mr. Davis verbally acknowledged an understanding of all his conditions. On December 13, 2022, supervised release conditions were again reviewed and Mr. Davis signed his judgment, acknowledging an understanding of his conditions.

The offender has not complied with the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition # 2:** You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: Mr. Davis is considered to be in violation of his term of supervised release by consuming a controlled substance, marijuana, on or about February 6, 2023.

On February 6, 2023, Mr. Davis contacted this officer by phone to advise while at work that prior weekend, February 4-5, 2023, he went on a break with a coworker who began using a vape pen. Mr. Davis also used it thinking it was only nicotine in the vape pen. He immediately felt the high and asked his coworker what was in the pen. Per Mr. Davis, his coworker advised it was a mix of nicotine and marijuana.

Mr. Davis also submitted to a random drug test on February 6, 2023, at Merit Resource Services, which was presumptive positive for marijuana. The sample was sent to Alere Laboratory, which confirmed the results on February 11, 2023.

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U.S. Probation Officer Action:

Mr. Davis was admonished for using another person's vape pen without asking what was in it. He was reminded of the risks he takes by doing this. Mr. Davis acknowledged he erred in doing this and would not be doing it again. He contacted his Merit counselor and disclosed the use as well. Because he was truthful and readily admitted his mistake, his treatment modality was unchanged.

Mr. Davis continued to submit drug tests which were positive for marijuana on February 15 and 23, 2023. These positive results were considered residual use. Mr. Davis ultimately submitted negative drug tests and to date, they have remained negative.

Based on Mr. Davis' being honest with this officer and his counselor, because he continues in substance abuse treatment without change, and as he is still employed and reporting as required, this officer respectfully recommends no action be taken for Mr. Davis' violation behavior.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On:

March 27, 2023

s/SanJuanita B. Coronado

SanJuanita B. Coronado
Supervisory U.S. Probation Officer

- Court Concurs with Officer Action
- Submit a Request for Modifying the Condition or Term of Supervision
- Submit a Request for Warrant or Summons
- Other



Signature of Judicial Officer

2/27/2023

Date